

**MINUTES
BOARD OF FORESTRY
September 14, 1999
Special Hearings
Sacramento, California**

MEMBERS PRESENT: Robert J. Kerstiens, Chairman
Stan Dixon
Raymond Flynn
Kirk Marckwald
Tharon O'Dell
Darryl Young

MEMBERS ABSENT: Robert Heald

BOARD STAFF PRESENT: Christopher P. Rowney
Executive Officer
Daniel R. Sendek
Executive Officer, Foresters Licensing
Fran Henson, Committee Consultant
Donna Stadler, Executive Assistant

DEPARTMENTAL STAFF: Andrea Tuttle, Director
Ross Johnson, Deputy Director
Resource Management
Dean Lucke, Assistant Deputy Director
Dennis Hall, Regulations Coordinator

CALL TO ORDER

Chairman Kerstiens called the September 14, 1999, Forestry and Fire Protection meeting to order. He said that this was a meeting to hear two items only. He then read his opening comments into the record.

HEARING: To Consider Proposed Amendments to Sections 895.1, 916 (936, 956) *et seq.*, and 923 (943, 963) *et seq.*, of Title 14 of the California Code of Regulations.

Mr. Christopher Rowney, Executive Officer to the Board, explained the process and the options open to the Board. He said that the hearing was on the 45-Day Notice as circulated on August 20, 1999. He then explained the Board's options; deny the petition, adopt as proposed, close the hearing, modify and send out to a 15-Day Notice; or to continue the hearing until a future date.

Director Andrea Tuttle, Department of Forestry and Fire Protection, addressed the Board on behalf of the Secretary of Resources and CalEPA. She then reviewed the background of the package for the Board and explained the short timeframe. The package is driven by the listing of Coho and the pending Steelhead listing. She said that NMFS would work with the Board, but the Board needs to take some kind of action. The THP activities are not the only reason for the salmon decline. She said that the rules provide certainty and equity.

Mr. Ross Johnson, CDF, Deputy Director of Resource Management and representing an interagency technical team, provided the Board with a summary of the intent of the proposed watershed rules, and reviewed it for the members. He then said that the technical team was available for any questions the Board may have.

Mr. Marckwald said that he was not clear about Class II protection.

Mr. Johnson explained that the change was from 200 feet to 150 feet.

Mr. Flynn asked questions about the 10-largest diameter trees, and discussion followed.

Mr. Johnson explained the technical team's reason for that rule section.

Mr. Gaylon Lee, State Water Quality Control Board (SWQCB), provided written comments and read them into the record. He then said that he believes that the comprehensive package submitted by the regional water boards is too big for the Board to deal with in the time allowed.

Mr. Ronald Rempel, Deputy Director of the Department of Fish and Game (DFG) said that DFG supports the package, and it believes that the approval is critical.

Mr. Frank Reichmuth, North Coast Regional Water Quality Control Board (NCRWQCB), said that the NCRWQCB supports the package. It believes that the package would be helpful in responding to TMDLs.

Ms. Trinda Bedrosian, Division of Mines and Geology, expressed support for the rules package.

Mr. Phil Detrich, U.S. Fish and Wildlife Service (FWS), introduced John Engbring and said that he would be representing the FWS at Board meetings from now on.

Mr. Engbring, FWS, Klamath Region Supervisor, said that the FWS submitted written comments on September 7, 1999. He also submitted a list of 15 species that are listed as endangered. The list does not include plants. Mr. Engbring suggested that the Board and the Director clarify the geographic intent of the proposed rules. He said that the rules do not provide avoidance of "take."

Mr. Joe Blum, National Marine Fisheries Service (NMFS), provided the Board with his written testimony. He urged the Board to adopt the rule package with the modifications in attachment A so that the new rules can be implemented on January 1, 2000. On September 9, 1999, the NMFS announced that it listed the new Evolutionarily Significant Unit (ESU) California Coastal Chinook as threatened under the Federal Endangered Species Act (ESA). He then explained the reasons for the decline in the ESU and urged the Board to adopt the noticed package with the NMFS recommended modifications in its entirety.

Mr. Doug Eberhardt, U.S. Environmental Protection Agency (EPA), said that EPA supports the package. EPA has been reviewing the non-point under CZARA and sees the rules package as an important first step. He expressed concern over the enforcement of the rules, he believes that enforcement would build trust.

Chairman Kerstiens said that the lack of personnel is the problem.

Director Tuttle said that the Department is working on additional resources to handle the personnel problem.

Greg Bundrose, National Park Service, provided written comments to the Board in support of the package.

Mr. Ralph Modine, Trinity County Board of Supervisors (BOS), said that people are going to be forced to develop their land. The rules would have a negative impact on the County.

Mr. Doug Ferrier, Association of Consulting Foresters of American, Inc. (ACF), provided the Board with written comments and reviewed possible road impacts with the rules package.

Paul Wenger, California Farm Bureau Federation (CFBF), said that the package is not acceptable. He does not believe that the need for the package has been demonstrated and that it would put a burden on everyone. He said that it would force many small landowners into bankruptcy.

Mr. Ron Samuelson, timber landowner in Humboldt County, provided handouts showing maps of Class I, II, and III streams. He said that the rules package would have a personal impact on him. He said that there is no necessity. They would have a serious impact on the small landowners in Humboldt County.

Mr. Bernie Bush, Simpson Timber Company, said that there is no assurance of protection and requested the Board reject the whole package. He would like for the rules package discussion to go to the Ecosystem Committee, and he believes that there should be more time for public comment.

Mr. Wayne Whitlock, FRC, said that the FRC has provided written comments. He then provided a brief summary handout and reviewed it for the Board. The FRC believes that the one-size fits all approach is the biggest problem with the package. He said that the premise of the rules should be expanded. The FRC asked that the Board accept the Simpson Timber Company's comments.

Mr. Charlie Brown, Fruit Growers Supply Company (FGS), referred to written comments previously submitted. The rules package is not feasible and cannot be implemented. He believes that they are based on politics and not science. He then suggested that it be referred to the Ecosystem Committee for discussion.

Mr. Mark Pawlicki, Simpson Timber Company, said that SB 621 has passed and is currently on the Governor's desk for signature. He read from the Monitoring Study Group Report which stated the existing rules work. He then urged the Board to reject the package.

Mr. Ed Ehlers, Associated California Loggers (ACL), said that the Board is moving toward zero net discharge and that the rules package will shorten an already short season.

Mr. Allen Edwards, Vice President of Forest Landowners of California (FLOC), wanted to know what evidence there is that the proposal solves problems and what the full costs to the landowner are. He said that the package is inconsistent with the Forest Practice Act.

Mr. Dan Weldon, FLOC, said that the Board should know how costly the proposed rules package is for the landowner. A comparative cost analysis is needed.

Dr. William McKillop, UCB, referred to his written report regarding economic impacts before the Board. He then reviewed portions of that report with the members.

Mr. Joe Russ provided written comments and reviewed them with the Board. He urged the Board to reject the package.

Ms. Susan Moloney said that the Agency rules package does not protect the public trust resources and does not protect the Salmon.

Mr. V. Belanger said that the situation was desperate and it was up to the Board to decide the fate of the future.

Mr. John Delancie said that the package would provide for zero net discharge on watersheds. The rules should improve impaired watersheds.

Mr. Roger Levy, Earth First, said that the Board has a big responsibility and should consider doing the right thing.

Mr. Jim Little, California Forest Landowners, provided a handout and reviewed it for the Board. He said that the Board must consider the impact on the landowners.

Mr. Chris Hipkin, Registered Professional Forester (RPF), provided a handout to the Board and read from it. He expressed concern over the proposed rules package and the watercourse protection measures.

Mr. Bob Rynearson, W.M. Beaty & Associates, Inc., said that the proposed rules would cost their clients approximately 2 million dollars per year. They would be all-inclusive rules where one size fits all. He then asked the Board to please reject the package.

Mr. Robert Carey, W.M. Beaty & Associates, Inc., said that he was also opposed to the rules package. He said that the limiting factors were not identified.

Mr. Jeff Pudlicki, W.M. Beaty & Associates, Inc., provided the Board with a summary of his handout. He then asked that the Board reject the proposal and send it to the Ecosystem Management Committee and look at it on a watershed by watershed basis.

Mr. Ron Adams, Northern California Society of American Foresters (NorCal SAF), referred to the SAF letter. He said that the Society represents approximately 800 foresters in the state and it opposes the package.

Mr. Mitch Hunt, Mitchell Hunt Consulting Forester, RPF, said that a lot of the changes in the proposed rules should be addressed on the ground rather than generally applied standards.

Mr. Roy H. Richards, Jr., Consulting Forester, said that the DTACs should be reformed and the people in the field and the DTACs involved in the process.

Mr. Steven Butler, Consultant, provided the Board with written comments and said that the Board cannot allow zero risk rules. He asked the Board to reject the package.

Ms. Lisa Rudnick, Central Coast Forest Association (CCFA), said that the one-size fits all rules package is unacceptable and cannot work. She asked the Board to consider cumulative impacts from rules that are already in place. People are struggling economically. She suggested that the Agency should try the rules in a Demonstration Forest first.

Mr. David Van Lennep referred to his letter of September 7, 1999. He then said that the rules are not regionally specific and that the one-size fits all is not appropriate. There is no allowance for professional judgement and it does not allow for multi agency review. He urged the Board to reject the package.

Mr. Dave Hannon, California Licensed Foresters Association (CLFA), Roseburg Resources Company, referred to CLFA's written comments. He asked the Board to please reject the package and extend the comment period.

Mr. Jim Ostrowsky, President of CLFA, referred to the CLFA written comments and reviewed them with the Board. CLFA would like the Board to re-evaluate the package.

Mr. Bob Berlage, Big Creek Lumber Company, said that the rules exclude small landowners from the process. There should be incentives rather than restrictions, and people should be involved in the process.

Mr. Brian Campbell said that the rules would be a burden on landowners.

Ms. Vivian Bolin, Pacific Coast Federation of Fisherman's Association, said that the fisheries are being impacted. The Federation supports the Sierra Club Alternative. There is a need to reduce the density of roads and provide a higher level of protection especially in Class III watersheds. The Federation supports the adoption of the rules package with the amendments.

Mr. Mathew Bomba said that there is a need for stronger protection. He recommended that no more trees get cut.

Ms. Alexandra Waring, Forests Forever, said that there are no more chances to protect the Coho and the water. The rules are just not strong enough.

Mr. Tyson Schroeder said that it is important to know that we are not talking about the decline of Coho, we are talking about the destruction of Coho. He believes that the rules are too weak.

Ms. Jene McCovey, a native American, said that ancient Indian villages are of great concern. The Board should consult with tribes to determine significant sites and in an effort to save the last of the old growth.

Mr. Pete Harrison said that he hopes that the Board will adopt the rules package.

Mr. Gabe Zingaro, an environmental educator said that the Salmon are close to extinction. There should be a broader science base. He said that he does not support the package.

Mr. Wes Sporling said that he wants to sustain his livelihood. He said that he opposes the rules package.

Mr. Fred Kruger expressed concern over the antagonism that has built up. He said that the forests provide habitat for endangered species and suggested that the remaining forests be held as natural areas.

Mr. Barak Gale urged the Board to go with the Sierra Club proposal.

Ms. Mary Bull, Guardians of Elk Creek Old Growth, and organization of the Redwood Coast Watershed Alliance, said that rules are inadequate. She said that the package is clearly not in the best public interest.

Ms. Dian Griffeth said that the rules do not prevent the extinction of salmon or watersheds. There should be no-cut buffers and more enforcement. She requested denial of the rules package in its entirety.

Ms. Melinda Leithold urged the Board to deny the rules package.

Mr. Mark Hilovsky, Earth First, said that the rules are not strong enough and that it was time for sacrifices.

Mr. Wayne Miller, Forest Landowners of California (FLOC), said that the small landowner owns more timber than does the industry. He said that there are enough regulations now, but there needs to be better enforcement.

Mr. Graig Blencowe, Registered professional Forester (RPF), said that the Hillslope Monitoring Report was the only scientific data available to assess existing rules. He believes that there needs to be more inspectors in the field.

Mr. Steve Cannon opposed the rules package. He said that California has the most stringent rules in the world. He believes that CDF has the inspectors to enforce current rules.

Mr. Brian Oneto opposed the rules package. He said that the financial impacts are not adequately addressed.

Mr. Rob DiPerna, Earth First, said that the rules do not go far enough.

Mr. George Gough, California Cattlemen's Association (CCA), said that the rules' impact is major, although cattlemen's land use impact is minor. The Board needs to know what the cumulative effects are. He then asked that the Board reject the proposal and continue its review.

Mr. Lloyd Bradshaw suggested that the Board reject the rules package in its entirety. He said that the one size fits all approach would not work. Also, he believes that the package should be sent to the Ecosystem Management Committee.

Mr. Mark Rentz, California Forestry Association (CFA), urged the Board to reject the package. He said that the Ecosystem Management Committee should address the issue. He then provided handouts for the Board to review and encouraged it to consider all the factors, not just the forests.

Mr. Jere Melo, RPF, said that this Board should abandon the package. He provided a handout and reviewed it with the Board. The Board should support stream improvement projects.

Mr. Brian Smith, Licensed Timber Operator (LTO), read his written comments into the record. He urged the Board to reject the proposed regulations.

Mr. Marshall Greenhut, Forests Forever, opposed the rules package. He said that he supports the Sierra Club proposal.

Mr. Kevin Bundy, Environmental Protection Information Center (EPIC), said that he does not believe that the proposed rules are based on best available science. EPIC supports the Sierra Club proposal.

Mr. Peter Galvin, Center for Biological Diversity, said that the rules are not based on best available science. He said that they're for a more comprehensive rules package that protects Class III streams.

Ms. Julia Remmenga, Life Forms, asked the Board to consider the long-term effect—protection for the Class III streams.

Ms. Christine Prevail, Radio for Peace, Int., said that she was speaking for the fish and other species. There is a need for wide-sweeping changes. She said that she supports the Sierra Club alternative.

Mr. Kent Stromsmoe asked that the Board consider rules that provide for "no take." He said that the proposed rules package does not consider "no take," but that the Coho Consideration and the Sierra Club proposals do.

Mr. Paul Hughes, Deputy Director of Forests Forever, said that they support the Sierra Club and Coho Consideration proposals. There is a need to strengthen the proposed rules.

Mr. Howard Seidell, Forests Forever, said that it is vital to protect the species. He asked the Board to consider rules that provide for "no take."

Mr. Ed Murphy, Sierra Pacific Industries, said that it was a perception problem. He provided the Board with his written comments and reviewed them with the Board. He then said that the current Forest Practice Rules provide adequate protection.

Mr. Joseph Seidell said that there was a need for better monitoring and implementation.

Ms. Darlene Pratt, Bay Area Coalition for Humanity, said that she supports the package as a first step provided it is linked with the Sierra Club and Coho Consideration proposals.

Mr. Richard Mills said that the rules are too weak and violate the non-degradation policy. He said that there is a need to consider cumulative effects in all watersheds.

Mr. Paul Violett, CLFA, representing Soper-Wheeler, referred to his written comments and said that the economic analysis is inadequate. He suggested that the Board consider the McKillop report.

Ms. Kay Rudin said that she was against the proposed rules package.

Ms. Susan Stephenson suggested that the Board hold its meetings during the evening hours so that more interested parties could attend. She then read from her written comments.

Mr. Richard Gienger said that there were problems in the details of the rules that could be fixed later. He said that there is a need for Class III protection and better public review.

Fred Coyote Downey offered his help to the Board. He then said that he could support the Coho Considerations and the Sierra Club packages.

Mr. Felice Pace, Klamath Forest Alliance, said that he does not believe that the package would restore values. There is a need to reduce impacts. He said that the MSG report did not consider alternatives. He said that there cannot be winter operations on the coast or the Klamath watershed.

Mr. Jim Harrington provided the Board with videos for the member to preview at their convenience.

Mr. Dave Casebeer said that there is a need for stronger rules. He wants no more clear-cutting and no more "take".

Ms. Rose Taylor asked that the Board create a new rules package that would protect the resources.

Ms. Kathy Bailey, Sierra Club, said that she could support the package if it were combined with the Sierra Club proposal.

Ms. Cynthia Elkins, Environmental protection Information Center (EPIC), said that the proposed rules are in violation of the Clean Water Act non-degradation standard. There are species that are being "taken." EPIC plans on taking the issue to the Supreme Court if necessary.

Mr. Josh Brown said that he was against the package because it does not avoid the "take" of Coho.

Ms. Traci Thiele said that she was sorry for those who have done a good job. However, the proposed rules are too weak.

Mr. Mark Lancaster, RPF, said that the rule can not be implemented as they are. He urged the Board to continue working on the package.

Ms. Elise Moss said that there has been progress and supports the package.

Ms. Melinda Terry, California Forestry Association (CFA), said that the proposed rules conflicts with state laws. She urged the Board to consider the comments of Mark Rentz.

Mr. David Bischel, President of California Forestry Association (CFA), urged the Board to reject the package. He said that SB 621 was on the Governor's desk and would it provide time to properly review the proposal. He provided the Board with several handouts and reviewed portions with the Board. He believes that there is also a need for a cost benefit analysis for the proposed rules.

Mr. Hal Carlstad, Earth First, said that there was a need for a new paradigm. He asked that the Board protect the environment.

Ms. Paulette Cuilla asked that the Board do the right thing.

Mr. Dick Burton urged the Board to review the rules with the help of an RPF. He then asked that the Board reject the package.

Mr. Kevin Collins said that it is a first step and that he supports the package with amendments. He said that a no-cut zone would greatly reduce the confusion in the field.

Mr. Daniel Kosmal said that the package fails to protect the watercourses. He believes that the package is not sufficient.

Ms. Patti Patterson said that she supports the package, but that the rules need to be strengthened.

Mr. Richard Hunt asked that the Board adopt the package as a first step. He said that the rules are weak and that the Board should listen to the Sierra Club.

Ms. Karen Selme suggested that it was time to stop using wood to build houses.

Mr. Darryl Cherney presented the Board with the Golden Stump award and a statue of Mother Earth.

Mr. Matt McKinnon, Machinist Union worker, said that the Union, with the passage of SB 621, would like to see the package held over to see if enforcement works.

Mr. Christopher Rowney, Executive Officer for the Board said that the Scientific Review Panel (SRP) would be available to answer any questions the Board may have.

Mr. O'Dell asked about the twice bank-full for large rivers.

Dr. William Trush (SRP) said that the twice bank-full came from the Panel's effort in trying to use field evidence in defining the flood plain. The Panel looked at the flood plain area up stream from

Scotia only briefly. It is trying to find more objective measures. The SRP has not reviewed application in large rivers.

Mr. Flynn asked if the SRP was satisfied with the proposed rules compared to its report.

Mr. Gary Rynearson, SRP, said that the SRP report provides a set of guidelines and suggestions. Pieces of the report have been removed and are in the package before the Board today.

Mr. Marckwald said that if the Board was to issue a 15-Day Notice, that would give everyone a chance to take a good look at the package and there could be further public comment.

There was some further discussion regarding process.

Mr. Flynn said that he would like for the entire package to be referred to the Interim Committee.

Mr. Rowney clarified the Board options.

Ms. Deborah Barnes, Deputy Attorney General and Counsel to the Board, said that the Board could close the public hearing on the 45-Day Notice. If the Board decides to put out a 15-Day Notice that modifies the 45-Day Notice, then at the next hearing the public would have the opportunity to comment on the proposed changes in the 15-Day Notice. Or, the Board could just refer the package to Committee.

Mr. O'Dell said that he would like to slow things down and ensure a more thorough discussion with public input.

Mr. Dixon said that the things are moving too fast. He would like to hear from the agencies.

There was some further discussion.

99-09-1 Mr. Flynn moved to close the public hearing. Mr. Young seconded the motion and there was some discussion.

Mr. Marckwald asked if there was any harm in the Board putting possibilities out for notice.

Mr. O'Dell said that there are many possibilities that are out there that he did not want to lose. The Board is here to incorporate all the views it can to the rule language.

Mr. Rowney said that a 45-Day Notice requires an action within one year. The 15-Day Notice is formal notification to the public of the language changes. It does not preclude further discussion; however, it does set a standard for the ensuing hearing.

There was some discussion of the time frame.

Mr. Rowney explained the timing.

Mr. Ross Johnson said that he believes the Class III optional language is in the interim report.

Mr. Joe Blum, NMFS, said that Class III is covered in the Interim Committee. Also, NMFS has four additional changes.

Mr. O'Dell said that he would prefer to include NMFS ideas.

Mr. Dixon said that if the Governor signs the SB 621, then he would suggest a longer, more inclusive approach.

Chairman Kerstiens suggested a letter to the Governor supporting the signing of SB 621.

Ms. Barnes said that there is nothing that precludes the Board from taking that position, and sending a letter to the Governor.

99-09-2 Mr. Marckwald moved to put out a 15-Day Notice to include alternatives suggested by the Interim Committee, the interagency technical team, and NMFS. Mr. Dixon seconded the motion, and a roll call vote was called:

Young	Aye
Marckwald	Aye
Dixon	Aye
Flynn	Aye
O'Dell	Aye
Kerstiens	Aye

The motion carried unanimously.

99-09-3 Mr. Dixon moved to direct staff to develop and send a letter to the Governor supporting SB 621. Mr. Marckwald seconded the motion, and all were in favor with the exception of member Young who did not vote on this motion.

HEARING: To Consider Proposed Amendments to Forest Practice Rules Submitted by Santa Cruz County Pursuant to Public Resources Code §4516.5.

Chairman Kerstiens called the hearing to order and reviewed the process.

Mr. Jeff Almquist, Santa Cruz County, provided some background for the members. He reviewed some possible changes to the existing proposal regarding tree retention requirements. However, he believes that the Santa Cruz Board of Supervisors (BOS) may want to take the position that the Agency rules take. He then asked the Board to continue the hearing until the BOS has had an opportunity to meet and review the Agency package.

Mr. Jerry Ahlstrom, CDF, said that the Department does not believe that the County has demonstrated the need for its own rules proposal. The package, as presented, appears to be a poorly designed document. The Department is concerned about inspections and enforceability. He then reviewed portions of the package for the Board.

Mr. Flynn asked if an RPF would be doing the inspections for the County.

Mr. Almquist said that the County would prefer that an RPF do the inspections.

Mr. Mark Vande Pol provided the history of the prescriptive rule making process in Santa Cruz County. He reviewed the 1990's moratorium in Santa Cruz County for the Board. He then said that he was against the proposed rules as written.

Mr. Steven Butler said that he would like to see the Board take action on this proposal. He cited the regulatory authority in Title 14 of the Public Resources Code, Section 4516.5.

Ms. Lisa Rudnick, Central Coast Forest Association, said that the proposal before the Board of Forestry has not gone before the Board of Supervisors as presented.

Mr. Dave Van Lennep, California Licensed Forestry Association (CLFA), said that CLFA represents approximately 800 RPFs. The package would cause huge family problems. CLFA urged the Board to deny this package.

Mr. Brian Campbell believes that the County has failed to make a case for the necessity of these rules.

Mr. Mark Rentz, California Forestry Association (CFA), asked that the Board reject the package in its entirety. There is no necessity.

Mr. Bob Berlage, Big Creek Lumber Company, asked that the Board reject the package tonight.

Ms. Carol Carson, Valley Women's Club, said that Santa Cruz County is a unique area, a tourist area. She then provided handouts and reviewed them for the Board.

Ms. Julie Hendriks provided the Board with a photograph and read her comments into the record. She believes that the County has illustrated the need for the rules package as presented.

Mr. and Mrs. Malcolm Myers Rigby read comments into the record. Their concerns were regarding THP 1-99-301 SCR, which demonstrate need for the County rules.

Mr. Kevin Collins said that there was no justification for the rules package.

Ms. Elise Moss spoke in support of the package.

Mr. Larry Prather, San Lorenzo Valley Water District, referred the Board to the Water Districts letter of support for the proposal and asked the Board to support the proposal.

Mr. Philippe Strassart said that he supports the package.

Ms. Jodie Frediani, Sierra Club, said that the Sierra Club supports the package. She urged the Board to support the package.

Mr. Mark Morgenthaler said that the proposed rules provide a chance to solve some of the problems in Santa Cruz County.

Mr. Dick Burton asked the Board to deny the package.

Mr. Eric Huff said that the Board should deny the proposed rules package.

Mr. Chris Hipkin said that there have been a lot of complaints to CDF without response.

Ms. Nancy Drinkhard, CDF, Forest Practice Inspector, addressed one of the complaints mentioned and said that the complaint had been appropriately handled.

Mr. Kent Stromsmoe said that he would like the Board to postpone its decision.

Mr. Young asked why the County wanted to postpone the hearing.

Mr. Almquist explained the County's reasoning behind requesting the postponement. He discussed both the change in tree retention standards and the County's interest in the watercourse protection provided in the Agency proposal.

Chairman Kerstiens asked for Board members comments.

Mr. O'Dell said that he was not persuaded that the necessity had been established. The County should reconsider what rules should be presented.

Mr. Marckwald said that seeing the necessity was difficult. The question seems to be, is it a Forest Practice problem or a zoning problem.

Mr. Young expressed frustration. He said that he would like to believe that there is a solution, but said that he did not see it in the proposed rules package.

Ms. Barnes explained the options open to the Board.

Mr. Dixon said that he was not convinced of the necessity.

99-09-4 Mr. Flynn moved to deny the proposal. Mr. O'Dell seconded the motion, and a roll call vote was called:

Young	Abstain
Marckwald	Aye
Dixon	Aye
Flynn	Aye
O'Dell	Aye
Kerstiens	Aye

The motion carried 5 – 0 with one abstention.

ADJOURNMENT

Chairman Kerstiens said that the September 14, 1999, meeting was adjourned.

Respectfully submitted,

ATTEST:

Original signed by

Original signed by

Christopher P. Rowney
Executive Officer

Robert J. Kerstiens
Chairman

Copies of the attendance sheet may be obtained from the Board office.